

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION**

HASKELL YATES,)	
)	
Plaintiff,)	
)	No. 2:15-cv-00049
v.)	
)	Judge Sharp
CAROLYN W. COLVIN,)	Magistrate Judge Holmes
Acting Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

Pending before the Court is a Report and Recommendation (“R & R”) of the Magistrate Judge, recommending that this case be dismissed for Plaintiff’s failure to prosecute this case, pursuant to 41(b) of the Federal Rules of Civil Procedure (Docket Entry No. 15).¹

No response in opposition was filed to the R & R. Having thoroughly reviewed the record in this case and the applicable law in accordance with Rule 72(b), the Court will accept the R & R of the Magistrate Judge.

Accordingly, the Court hereby rules as follows:

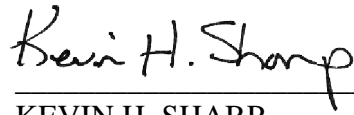
(1) The Report and Recommendation (Docket Entry No. 15) is hereby ACCEPTED and APPROVED; and

(2) This case is hereby DISMISSED WITH PREJUDICE.

¹ Per the Court’s scheduling order, Plaintiff had until May 20, 2016, to file his motion for judgment on the administrative record. (Docket Entry No. 12). He did not. On September 16, 2016, Defendant filed a *Motion to Show Cause Why This Complaint Should Not Be Dismissed Pursuant to Rule 41(b), Federal Rules of Civil Procedure*. (Docket Entry No. 13). The Magistrate Judge granted the motion, and Plaintiff was given until October 24, 2016, to file a motion for judgment on the administrative record and/or a response to the motion to show cause. (Docket Entry No. 14). As of this date, Plaintiff has not filed a motion or otherwise shown why his case should not be dismissed.

The Clerk is directed to enter Judgment in a separate document in accordance with Federal Rule of Civil Procedure 58.

It is SO ORDERED.

A handwritten signature in black ink that reads "Kevin H. Sharp". The signature is written in a cursive, slightly slanted style. The "K" is large and loops around the "e". The "H" is formed by two vertical strokes. The "S" is a large, sweeping curve. The "h" is a smaller curve. The "a" is a simple oval. The "r" is a vertical stroke with a small hook. The "p" is a vertical stroke with a small loop at the bottom.

KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE